



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,960	01/09/2002	Patricia Shanahan	2070.004600/P6762	6689

7590 04/13/2004

B. Noel Kivlin
Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C.
P.O. Box 398
Austin, TX 78767-0398

EXAMINER

MOAZZAMI, NASSER G

ART UNIT	PAPER NUMBER
----------	--------------

2187

DATE MAILED: 04/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

ppg

Office Action Summary

Application No.

10/042,960

Applicant(s)

SHANAHAN ET AL

Examiner

Nasser G Moazzami

Art Unit

2187

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29-57 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 29-57 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This Office Action is in response to applicant's amendment dated 02/24/2004 in response to PTO Office Action dated 11/24/03. The applicant's remarks and amendment were considered with the results that follows.
2. Claims 1-28 have been presented in this application for examination. Claims 1-28 have been canceled and new claims 29-57 has been added. Therefore, claims 29-57 remain pending in the application.

Response to Arguments

3. Applicant's arguments with respect to claims 1-28 are persuasive, since applicant has canceled claims 1-28, therefore the previous rejection of the claims 1-28 are no longer relevant. However the applicant's arguments with respect to new added claims 29-57 are moot in view of the new ground(s) of rejection.

Information Disclosure Statement

4. The Information Disclosure Statement submitted by applicant on 02/24/2004 (paper number 9) has been considered. Please see attached PTO-1449.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claim 37 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The phrase “using a fourth domain to manage at least a portion of the access between the first domain and the second domain” is not being included nor described in the specification.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

8. Claims 29-57 are rejected under 35 U.S.C. 102(e) as being anticipated by Gillett, Jr. et al., hereinafter Gillett (U.S. Patent No. 6,295,585).

As per claim 29, Gillett teaches a method, comprising: receiving a request from a first domain [node 1 (see Fig. 1)] to access a second domain [node 2, node 3, or

node 4 (see Fig. 1); read or writes from node 1 to node 2 (column 5, lines 63-64));
and using a third domain **[MC HUB 21 (see Fig. 1)]** to access the second domain in response to receiving the request from the first domain **[MC HUB 21 provides for interconnectivity between each of the nodes. Such an arrangement allows each of the nodes to communicate with other nodes (column 3, lines 57-62)].**

As per claims 30, and 32, Gillett teaches that receiving the request further comprises receiving a request to access a resource of the second domain **[accessing the shared portion of the memory 24 (column 3, line 63 through column 4, line 3)].**

As per claim 31, Gillett teaches that receiving the request further comprises receiving a request to access the interface of the second domain to communicate with one or more external devices **[accessing PCI/MC adapter 34 of the destination node (see Fig. 1)].**

As per claims 33-35, Gillett teaches copying data from the second domain, providing the data to the first domain, and providing an indication to the first domain in response to providing the data; generating an interrupt in response to providing the data; detecting an error in a first shared resource domain **[It is inherent in the art, because accessing the shared portion of another node for a data, it will cause the data to be copied from that node to the requesting node; interrupt signal; detecting an error (see column 8, line 12 through column 9, line 2)].**

As per claim 36, Gillett discloses allowing a first client domain to access a second client domain through a second shared resource domain in response to detecting the error in the first shared resource domain **[It is inherent in the art, because when the requesting node does not have the data requested (miss or error in the node) it will access the other node for the requested data to maintain coherency].**

As per claim 37, Gillett discloses using a fourth domain to manage at least a portion of the access between the first domain and second domain **[any sub-unit of a control unit can be considered as a fourth domain].**

As per claims 38-57, claims 38-57 encompass the same scope of the invention as those of claims 29-37 in addition of an apparatus with number of units and a machine readable storage media with instruction for performing the step function of the method claims 29-37. Therefore, claims 38-57 are rejected for the same reasons as stated above with respect to claims 29-37.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6,516,343 (Pong et al.)

U.S. Patent No. 6,108,694 (Yashiro et al.)


U.S. Patent No. 5,613,068 (Gregg et al.)

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nasser G Moazzami whose telephone number is (703) 305-0017. The examiner can normally be reached on 7:00AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on (703) 308-1756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NASSER MOAZZAM
PRIMARY EXAMINER



04/8/2004